

ASSEMBLY BILL

No. 2878

Introduced by Assembly Member Ruskin

February 24, 2006

An act to add Part 5 (commencing with Section 71400) to Division 34 of the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2878, as introduced, Ruskin. Environment: state buildings: sustainable building practices.

Existing law sets forth various requirements for energy and design efficiency in construction and renovation in state buildings.

This bill would enact the "Green" Building Act of 2006 and would require the Secretary for Environmental Protection to adopt regulations, by July 1, 2007, for the incorporation of sustainable building practices into the planning, operations, policymaking, and regulations functions of capital outlay and building management processes. The bill would require the secretary, in developing the regulations, to broadly consult with private sector individuals and public officials, as specified. The bill would require the secretary to report to the Legislature, on an annual basis, on the activities and on the efforts to implement the sustainable building strategy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Part 5 (commencing with Section 71400) is
- 2 added to Division 34 of the Public Resources Code, to read:

PART 5. "GREEN" BUILDING ACT OF 2006

71400. The Legislature finds and declares all of the following:

(a) California is committed to providing leadership on energy, environmental, and public health issues by implementing innovative and resource-efficient public building design practices and other state government programs that improve the lives of California's 35 million residents.

(b) The state invests approximately two billion dollars (\$2,000,000,000) annually for design, construction, and renovation, and more than six hundred million (\$600,000,000) dollars annually for energy, water, and waste disposal at state-funded facilities.

(c) A building's energy, water, and waste disposal costs are computed over a 25 year period, or for the life of the building, and far exceed the cost of design and construction.

(d) An opportunity exists for the state to foster continued economic growth and provide environmental leadership by incorporating sustainable building practices into the state capital outlay and building management processes.

(e) Sustainable building practices utilize energy, water, and materials efficiently throughout the building's life cycle; enhance indoor air quality; improve employees' health, comfort, and productivity; incorporate environmentally preferable products, and thereby substantially reduce the costs and environmental impacts associated with long-term building operations, without compromising building performance or the needs of future generations.

(f) The widespread adoption of sustainable building principles would result in significant long-term benefits to California environment, including reductions in smog generation, runoff of water pollutants to surface and groundwater sources, and the demand for energy, water, and sewage treatment services, and the fiscal and environmental impacts resulting from the expansion of these infrastructures.

(g) It is critical that the state provide leadership to both the private and public sectors in the sustainable building arena.

(h) It is the policy of the state to site, design, deconstruct, construct, renovate, operate, and maintain state buildings that are

1 models of energy, water, and material efficiency; while providing
2 healthy, productive, and comfortable indoor environments and
3 long-term benefits to Californians.

4 71401. (a) On or before July 1, 2007, the Secretary for
5 Environmental Protection shall adopt enforceable regulations for
6 the incorporation of sustainable building practices into the
7 planning, operations, policymaking, and regulatory functions of
8 state capital outlay and building management processes.

9 (b) The regulations shall include, but are not limited to,
10 standards and requirements for all of the following activities:

11 (1) Incorporation of life-cycle cost, integrated environmental
12 design, commissioning and post occupancy evaluation and
13 management.

14 (2) Development of cost-effective green building performance,
15 operation, and maintenance.

16 (3) Investment in full-scale implementation of sustainable
17 building practices.

18 (4) Adoption of comprehensive annual reporting and auditing
19 requirements to demonstrate progress in meeting sustainable
20 building goals.

21 (5) Development of technical assistance, training, and
22 outreach activities for implementation and enforcement of
23 sustainable building practices.

24 (6) Establishment of programmatic, fiscal, and administrative
25 mechanisms to implement sustainable building practices,
26 including practices affecting leased and rented state spaces.

27 (c) The regulations shall implement the sustainable building
28 goal in a cost-effective manner, while considering externalities;
29 identify economic and environmental performance measures;
30 determine cost savings; use extended life cycle cost; and adopt an
31 integrated system approach that treats an entire building as one
32 system and recognizes that individual building features, such as
33 lighting, windows, heating and cooling systems, or control
34 systems, are not stand-alone systems.

35 (d) In carrying out this section, the secretary shall boardly
36 consult with appropriate private sector individuals and public
37 officials, including the Director of Finance, the Secretary of
38 Business, Transportation, and Housing, the Secretary for
39 Education, the Secretary of Health and Human Services, and the
40 Secretary for Resources.

1 (e) Notwithstanding Section 7550.5 of the Government Code,
2 the secretary shall, on an annual basis, report to the Legislature
3 on the activities and on the efforts to implement the sustainable
4 building strategy established under this part.

5 (f) Notwithstanding other provision of law, all state agencies
6 shall comply with the regulations adopted pursuant to this
7 section.